

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY *MR* D.C.
05 MAY 26 PM 5:35

ROBERT D. BELLICIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

JACOB RHODES, a minor, by and
through his parent, DIANA RAY
MOORE, and DIANA RAY MOORE,
Individually,

Plaintiffs,

vs.

No. 04-1191-JDT-tmp
JURY DEMANDED

SUSAN WALLACE, Individually, and
HENDERSON COUNTY BOARD
OF EDUCATION,

Defendants.

RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates were established as the final dates for:

MOTIONS TO AMEND PLEADINGS AND JOIN PARTIES:

for Plaintiff:	August 31, 2005
for Defendant:	September 30, 2005

DISCOVERY:

- (a) REQUESTS FOR PRODUCTION, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: January 31, 2006
 - (i) Each party is limited to thirty (30) interrogatories
- (b) EXPERT DISCLOSURE (Rule 26(a)(2)):
 - (i) Plaintiff's Experts: January 15, 2006
 - (ii) Defendant's Experts: February 15, 2006
 - (iii) Plaintiff's Rebuttal Experts: March 3, 2006

- (c) DEPOSITIONS: May 19, 2006
 - (i) Maximum of fifty (50) depositions by each party
 - (ii) Each deposition is limited to a maximum of two (2) seven (7) hour days
- (d) SUPPLEMENTATION: Supplementation under Rule 26(e) due as required by the Federal Rules of Civil Procedure but no less than sixty (60) days before the date of trial without leave of court or by agreement of the parties.

FILING DISPOSITIVE MOTIONS: July 5, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) for Plaintiff: September 1, 2006
- (b) for Defendant: September 18, 2006

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 10 to 15 days and is SET for JURY TRIAL beginning October 2, 2006 at 9:30 a.m. A joint pretrial order is due on September 18, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial. A pretrial conference may be scheduled upon request of the parties.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FED R. CIV. P. allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded the pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FED R. CIV. P. 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

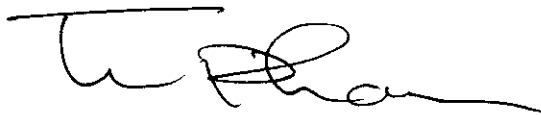
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

At this time, the parties have not given consideration to whether they wish to consent to trial before the magistrate judge. The parties will file a written consent form with the court should they decide to proceed before the magistrate judge.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Tu M. Pham', is written over a horizontal line.

TU M. PHAM
UNITED STATES MAGISTRATE JUDGE

APPROVED FOR ENTRY:

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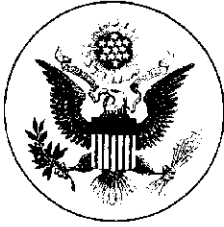
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Notice of Distribution

This notice confirms a copy of the document docketed as number 27 in case 1:04-CV-01191 was distributed by fax, mail, or direct printing on June 1, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT